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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

Butter Licensing, LLC,

NO. C 10-01711 JW

Plaintiff,

v.

**ORDER VACATING PRELIMINARY
PRETRIAL CONFERENCE**

Pure Entertainment, LLC,

Defendant.

_____ /

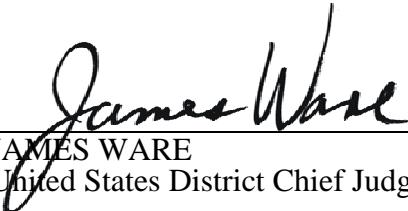
This case is scheduled for a Preliminary Pretrial Conference on February 14, 2011. On February 4, 2011, pursuant to the Federal Rules of Civil Procedure and Local Rules of this Court, the parties conferred and duly submitted a Joint Pretrial Statement. (See Docket Item No. 22.) In the Statement, the parties indicate that Plaintiff anticipates filing a dispositive motion in this case. On August 25, 2010, the Court issued a Scheduling Order setting May 16, 2011 as the last date for hearing dispositive motions. (See Docket Item No. 17.) Thus, given the unique nature of this case as an appeal from a decision by the Trademark Trial and Appeal Board, the Court finds good cause to VACATE the scheduled Pretrial Conference and set a briefing schedule for Plaintiff's anticipated dispositive Motion.

Accordingly, the Court orders as follows:

- 25 (1) The hearing on Plaintiff's dispositive Motion will be held on **May 16, 2011 at 9 a.m.**
- 26 (2) On or before **April 11, 2011**, Plaintiff shall file its Motion.
- 27 (3) On or before **April 25, 2011**, Defendant shall file its Opposition to Plaintiff's Motion.
- 28 (4) On or before **May 2, 2011**, Plaintiff shall file its Reply to Defendant's Opposition.

1 The Court will set a new Conference date in its Order addressing Plaintiff's dispositive
2 Motion, if necessary.

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4 Dated: February 9, 2011

5 
6 JAMES WARE
7 United States District Chief Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Craig Sheridan Miller cmiller@wmlawfirm.com
3 Jeffrey E. Faucette jfaucette@tcolaw.com
3 Jonathan Alan Patchen jpatchen@tcolaw.com
4 William Steven Weisberg wweisberg@wmlawfirm.com

5 **Dated: February 9, 2011**

Richard W. Wiking, Clerk

6
7 **By: /s/ JW Chambers**
Elizabeth Garcia
8 Courtroom Deputy